

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8682

UNITED STATES OF AMERICA,  
Plaintiff,

v.

Martina Dolores MURILLO

Defendant.

) Mag. Case No.  
) COMPLAINT FOR VIOLATION OF:  
)  
) Title 8, U.S.C., Section 1324  
) (a)(2)(B)(iii) -Bringing In Illegal Alien(s)  
) Without Presentation

The undersigned complainant, being duly sworn, states:

On or about July 31, 2008, within the Southern District of California, defendant Martina Dolores MURILLO, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that alien, namely, Guadalupe GALINDO-Gonzalez, had not received prior official authorization to come to, enter or remain in the United States, did bring to the United States said alien and upon arrival did not bring or present said alien immediately to an appropriate immigration officer at designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(A)(iii).

And the complainant states that this complaint is based on the attached statement of facts which, is incorporated herein by reference.

\_\_\_\_\_  
Senior Border Patrol Agent

SWORN TO BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 4<sup>th</sup> DAY OF AUGUST 2008.

\_\_\_\_\_  
Peter C. Lewis  
United States Magistrate Judge

DEFENDANT: Martina Dolores MURILLO

I, Border Patrol Agent Mikuski declare under penalty of Perjury, the following is true and correct:

## PROBABLE CAUSE STATEMENT

The complainant states this complaint is based upon the investigative reports by the apprehending Border Patrol Agent J. Rivera-Navarro that on July 31, 2008, the defendant, Martina Dolores MURILLO a United States citizen, was apprehended in Calexico, California, as she attempted to smuggle (1) one undocumented alien from Mexico in violation of law.

On July 31, 2008, at approximately 4:00 P.M., Border Patrol Agents observed two individuals make an illegal entry through the southbound pedestrian turn-style lanes at the Calexico West Port of Entry. The agents observed after the male illegal entrant assisted the female illegal entrant, later identified as Guadalupe GALINDO-Gonzalez, further north through the pedestrian lanes he returned to Mexico. Agents observed another female, later identified as Martina Dolores MURILLO, near First Street and Heffernan Avenue giving hand signals to GALINDO. Upon meeting with MURILLO, GALINDO started to follow her. Agent Gonzalez was in plain clothes and was able to closely follow the two women. Agent Gonzalez observed MURILLO use her cell phone and was able to hear her tell someone on the other end of the cell phone "I have the girl." Agent Gonzalez was able to hear MURILLO instruct GALINDO to follow here to the taxi stand. The agents observed MURILLO and GALINDO get into a Taxi and at which time the agents approached the women. The agents identified themselves and questioned MURILLO and GALINDO. It was determined MURILLO is a citizen of the United States and GALINDO is a citizen of Mexico illegally in the United States. MURILLO and GALINDO were placed under arrest.

At the station, Agent Gonzalez witnessed Agent Rivera-Navarro read MURILLO her rights per Miranda. MURILLO stated she understood her rights and was willing to talk with agents without an attorney present. MURILLO stated she has been arrested in the past for alien smuggling. MURILLO stated she made arrangements with a smuggler known as "El Gato" in Mexico to help an illegal alien enter the United States and was to get paid \$50 to \$100.

Material Witness Guadalupe GALINDO-Gonzalez stated she made arrangements with a smuggler to pay a fee of \$1,800 to be smuggled into the United States. GALINDO stated the smuggler assisted her through the turn-styles and she crossed the street to meet with a lady. GALINDO stated the lady told her to follow her and then to get into the taxi. GALINDO was shown a six-pack photo lineup and positively identified photo number 1, MURILLO, as the lady helping her to go north into the United States illegally.

The complainant states that the names of the Material Witnesses are as follows:

<u>NAME</u>	<u>PLACE OF BIRTH</u>
Guadalupe GALINDO-Gonzalez	Mexico

Further, complainant states that Guadalupe GALINDO-Gonzalez is a citizen of a country other than the United States; that said alien has admitted that she is deportable; that her testimony is material, that it is impracticable to secure her attendance at the trial by subpoena; and she is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

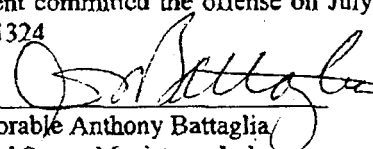
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DEFENDANT: Martina Dolores MURILLO

Executed on August 2, 2008, at 8:10 AM.

  
Michael Mikuski  
Senior Border Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 2 pages, I find Probable Cause to believe that the defendant named in this probable cause statement committed the offense on July 31, 2008 in violation of Title 8, United States Code, 1324

  
Honorable Anthony Battaglia  
United States Magistrate Judge

8/2/08 11:32am  
Date/Time